

EXHIBIT "B"

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF ALABAMA

Emilia Strong Sykes, *et al.*

Plaintiffs,

vs.

Benjamin F. Payton, *et al.*,

Defendants.

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: Case No. _____
:
:
:
:
: Judge _____
:
:

AFFIDAVIT OF EMILIA SYKES

COUNTY OF SUMMIT

STATE OF OHIO


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Emilia Sykes being first duly sworn deposes and says that:

1. I have direct knowledge of the facts herein set forth.
2. I am a student at Tuskegee University and I participated in the 2006 Miss Tuskegee University Pageant at Tuskegee University on April 20, 2006.
3. At the end of the pageant, there was a three-way tie among contestants 1, 3, and 4.
4. I was contestant 3.
5. On April 20, 2006, I was announced as the winner of the Miss Tuskegee University Pageant pursuant to the tie break policy.
6. Contestant 4 was named first attendant and contestant 1 was named second attendant.
7. The first and second attendants challenged the results and requested the scores of the pageant.
8. On April 21, 2006, I attended a meeting with my mother, Barbara Sykes, my campaign manager, and Mr. Brown, Assistant to Student Life Director for the university, to discuss the results of the pageant and the subsequent challenge of the results.

9. Mr. Brown also explained the election results including the formula used to name the court members.
10. Mr. Brown explained that the first attendant was penalized for exceeding her time limit for her speech, which led to the tie.
11. Mr. Brown further explained that when there is a tie, the contestants' scores in the talent category break the tie.
12. According to Mr. Brown, I had the highest score in the talent category and therefore I was the winner of the pageant.
13. On April 22, 2006, Mr. Lewis, a representative of the university, directed me to attend the Kellogg Conference Center to make an appearance as Miss Tuskegee to welcome the Girl Scouts of America.
14. The first attendant later informed me that she and the second attendant would not be attending the President's Essay Contest because, according to Minnie Austin, Director of Student Life and Development, there was an investigation concerning the pageant results and that the court would not be announced because the members of the court had not yet been determined.
15. I was directed to attend the President's Essay Contest and told that the court would be announced whether or not all members were present.
16. On April 23, 2006, I attended the President's Essay Contest and the first and second attendants were not present.
17. I tried to contact the first and second attendants, one did not respond and the other stated that she would not be attending because no court would be announced since the program stated that the court was to be announced.
18. I was not formally announced as Miss Tuskegee University at the event.
19. On April 24, 2006, I attended a meeting with my mother, my father, Dean Peter Spears, Dean of the University, and Iolantha Spencer.
20. At the April 24, 2006 meeting, Dean Spears explained that he did not announce me as the pageant winner at the event on April 23, 2006 because the other court members were not in attendance and he thought that I may have been there to collect another award.
21. Dean Spears also explained that there was no problem with my title as Miss Tuskegee, that the university had followed the rules in reaching the results, that there would be no investigation, and that the university stands by the results of the pageant.

22. My family and I later met with Iolantha Spencer, Minnie Austin, Director of Student Life and Development, who indicated that she informed President Payton that I had won both the pre-pageant and the pageant, and that President Payton stated that the decision naming me Miss Tuskegee would stand.
23. On June 12, 2006, Minnie Austin, called my home to speak with me and informed my parents, that the results of the pageant would be changed, that there was an investigation that determined that the university made a mistake and that I was no longer Miss Tuskegee.
24. Minnie Austin also explained that, after a private investigation conducted by legal counsel, the university believed it had to correct the discovered mistake and announce a new winner of the pageant because it wanted to avoid a law suit.
25. I also received multiple messages concerning the university's decision to change the pageant results.
26. I later received a letter from Minnie Austin, dated June 12, 2006, informing me that the university had declared the previous first attendant the winner and I was first attendant.
27. During the intervening roughly two month period between April 20 and June 12, 2006 I appeared in numerous press articles, received commendations and informed third parties that I was Miss Tuskegee. The information enclosed at Exhibit 1 is an example.
28. FURTHER AFFIANT SAYETH NAUGHT.


Emilia Sykes

NOTARY PUBLIC

Emilia Sykes appeared before me this 20th day of June, 2006, and did swear
and confirm that the above statement which she signed in my presence is true to the best
of his knowledge, intention and belief.


Notary Public

My commission expires _____ **MEGAN PAVELKO**
Notary Public, State of Ohio
Date: 6/28/09 **My Commission Expires Sept. 20, 2009**

nching' rham, N.C.

says brutally beat, kicked, strangled and sodomized her at a wild off-campus party the morning of March 14.

A third unidentified suspect is expected to be indicted by May 15, when a second set of DNA results, and the next court hearing in this case, are expected to occur.

If convicted those felonies carry a minimum of 12 years in prison each.

Both of the accused are Duke University sophomores, who have since been suspended from the elite university, were arrested and brought to the Durham County Detention Facility in handcuffs. But before noon, Seligmann and Finnerty met the \$400,000 bond each imposed by a judge, and were released.

Their attorneys claim they are innocent, and have a timeline, alibis, documents and witnesses they say prove neither was at the

party at the time the accuser alleges the assault occurred. Durham District Attorney Mike Nifong, who is personally prosecuting this case, counters that a rape examination of the victim done at Duke Medical Center that morning revealed evidence of bruising "consistent" with a brutal sexual assault, with the most likely place it happened at lacrosse team party.

Sources say there may also be a toxicology report that shows evidence of a date rape drug in the victim's system. The second woman who was hired to dance at the party along with the accuser has alleged that a drink given to the woman may have been spiked, because her perfectly sober demeanor when they arrived changed dramatically, deteriorating into an incoherent stupor that went well beyond being drunk.

Continued to Page A3

State In Court

municipal employees unconstitutional

side of the city. Mayor Plusquellic responded with a letter to all municipal employee union leaders asking for a list of their employees they felt were unqualified to do their jobs.

Plusquellic said today, "Every argument in favor of this bill benefits the employee; there isn't one argument advanced that benefits the municipality, or the people who voted for us to protect their interests and do what's right for them."

The United States and the Ohio Supreme courts have ruled that residency requirements by municipalities are constitutional. Some of the reasons cited by the courts in favor of residency include:

- Quicker emergency response

time

- Improved performance in public service due to employees having a stake in the community
- Greater knowledge by employees of conditions within the community
- Improved community attitudes toward employees
- Reduced absenteeism
- Increased presence by safety officers while off duty

Plusquellic argues that residency stabilizes and strengthens neighborhoods. "Citizens feel a greater measure of security knowing that people who work for the city live nearby," the mayor said.

The municipal government of the city of Akron employs 2,400 workers.

Emilia Sykes Named Miss Tuskegee University



Miss Emilia Sykes is crowned Miss Tuskegee University by Dr. Benjamin F. Payton - Tuskegee University president.

University officials announced Emilia Sykes as the 2006-2007 Miss Tuskegee University.

Emilia is a 2003 graduate of Firestone High School, where she served as President of the Student Council. She is the daughter of Dr. Vernon Sykes and Rep. Barbara Sykes.

Miss Sykes was recently inducted into Alpha Kappa Mu Honorary Society. She is a member of Alpha Kappa Alpha Sorority and was a Tuskegee Cheerleader during the 2004 and 2005 school year.

A junior majoring in psychology from Akron, Ohio, Emilia Sykes will represent Tuskegee University along with her court, which includes first attendant Calida "Joy" McCampbell, a junior chemical engineering major from Linden, Ala.; and second attendant Cristi Haygood, a junior mechanical engineering major from Tuskegee, Ala.

All three competed during a pageant on Thursday, April 20, in the General Daniel "Chappie" James Center where they were judged on talent, public speak-

ing and poise and appearance. Their final scores came from a combination of the popular vote by their fellow students and the judges' final scores.

"Miss Tuskegee represents the University as one of the official ambassadors," said Minnie Austin, coordinator of the Miss Tuskegee pageant. "A lot of traveling is required of her. She and the court appear at different University events and attend all the football games. She also visits the coronations of other campus queens."

In addition to her first and second attendants, Miss Tuskegee is also joined by Mr. Tuskegee, Ralph Gordon and his court first attendant Aaron Chapman, and second attendant Raemont Pickney.

One of the first duties Sykes and Gordon perform in their roles will be this summer when they attend queen and king leadership training in Winston-Salem, N.C., Austin said.

Congratulations Emilia on your accomplishments and may you continue to have much success.

EXHIBIT

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dents and local performers.

The annual Arts on the Green is sponsored by the Booker T. Washington High School Friends of the Arts.

Native American drummers ... Chief Futmobul at the left



Collis Wright Native American Dancers ... Wright joined by local youngster



Miss Tuskegee University Court

Emilia Sykes was crowned Miss Tuskegee University for 2006-07 last week. Shown here is the court for Miss Tuskegee University. At the left is Cristi Haygood of Tuskegee, who is second runner-up. She's a junior in mechanical engineering. First attendant, Calida "Joy" McCampbell, a junior chemical engineering major from Linden, Ala.

Akron Beacon Journal • Sunday, May 14, 2006

www.ohio.com

COMMUNITY NEWS

CELEBRATIONS

Community news

• **Nathan Brant** is the new executive director of camping services at the Akron Area YMCA. He brings nearly 10 years of broad-based YMCA service to this position. He previously worked for the Carlisle Area Family YMCA in Pennsylvania.

• The Akron Area YMCA recognized Green resident **John Torok** as the winner of the 2005 Service to Youth Award. The award honors an individual who exemplifies the Y's core values of caring, honesty, respect, responsibility and faith. He was instrumental in creating the Green Family YMCA and was the mayor of Green from 1991 to 1997.

• **Sgt. Beverly Fraser** of the Medina County Sheriff's Office received the Ohio Practitioner of the Year Award from the Ohio Crime Prevention Association for her work in crime prevention. She is also the department's training officer.

• Sixteen members of the Girl Scouts of the Western Reserve Council have earned the organization's highest honor, the Gold Award. They are **Hannah Brown**, Troop 518, Hudson; **Jennifer Chapman** and **Amanda Stripe**, Troop 1111, Coventry Township; **Deena Dombrsky**, **Jessica Ingalls**, **Paula Monaco**, **Samantha Omlion**, **Kathleen Rege** and **Diana Sloan**, Troop 58, Macedonia; **Erin Dremann**, Troop 907, Cuyahoga Falls; **Kaitlyn Grigsby**, Troop 730, Brunswick; **Kelli Hughes**, Troop 1052, Hudson; **Nicole Juppe**, Troop 1157, Hudson; **Jennifer Weber**, Troop 3, Uniontown; **Kristen Wigle**, Troop 678, Akron; and **Stephanie Wilke**, Troop 1053, Twinsburg.

• **Alexander James Varga** of Akron Boy Scout Troop 304 received his Eagle Scout Award. He is a senior at Green High School.



Chemistry Achievement Award at the 75th annual Muskingum College Scholarship Recognition Day.

• The Ohio Foundation of Independent Colleges presented **W.R. Timken Jr.** and **Ward J. Timken** of Canton with its Volunteer Lifetime Achievement Awards. The Timken family has supported the mission of the association for almost 50 years.

• **Joyce Dindo**, daughter of Kitty and Tom Dindo of Akron, was elected to Phi Beta Kappa, national honor society, at Wittenberg University. She is a graduate of Walsh Jesuit High School.

• **Emilia Sykes** was named the 2006-07 Miss Tuskegee University. She is a junior psychology major from Akron.

• **Charlotte Jaske** of Akron received a Dean's

Scholarship from Bethel College in Mishawaka, Ind..

• **Christina Martini Barry**, daughter of Maria Barry of Akron, was elected a member of the Honor Council at Mary Baldwin College, Staunton, Va.

• The United States Achievement Academy announced that **Jeanna M. Lott** of Mogadore was recognized for academic achievement. She attends Field High School and is the daughter of David and Joyce Lott.

• These area high school seniors are winners of National Merit Scholarships worth \$2,500: **John M. Shaul** and **Christine M. Glendon**, St. Vincent-St. Mary High School, Akron; **Ryan J. Stevenson**, home-schooled; **Jessica L. Tung**, Aurora High School; **Kathleen E. Powers**, Canton McKinley High School; **Tracy L. Meng**, Copley High School; **Peter C. Mushenheim**, Archbishop Hoban High School, Akron; **Andrew D. Vanburen**, Western Reserve Academy, Hudson; and **Amanda J. Hight**, Stow-Mun-

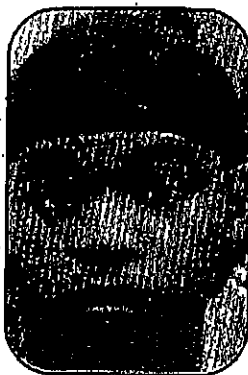
The Tuskegee News
May 4, 2006

Two Tuskegee shootings result in one death, serious injuries

Tuskegee has been the location of two recent shootings, one ending in a homicide.

Tuskegee Police investigators arrested 21-year-old Reginald Howard of 6 Clemmie Street Monday, May 1, and charged him with murder in the Monday night shooting of 36-year-old Presley Bell.

Bell, of 904 Cox Street, in Tuskegee, was shot around 11:30 p.m., Sunday night in the area of 908 Williams Street. The suspect and victim were reportedly involved in an altercation.



Reginald Howard

Howard was charged with murder and placed in the Macon County Detention Center. His bond was set at \$100,000. The case remains under investigation by the Tuskegee Police Department.



Alexander Moore

Then 18-year-old Alexander P. Moore of Tuskegee was arrested by Tuskegee Police investigators, also on Monday, May 1. He was charged in the Wednesday, April 26, shooting of 22-year-old, Okechokwu Akpa.

Akpa, a Tuskegee University student,

(See SHOOTINGS, P. A-3)

Baxley speaker for Democrats of 82nd District

The Democrats of the 82nd District will be having their Annual Banquet on Sunday, May 7 at 3 p.m. in the Kellogg Conference Center.

The Honorable Lucy Baxley, lieutenant governor for the State of Alabama, will be the guest speaker.

Other Democratic party candidates—local and statewide—are also expected to attend and be allowed to speak at the event. For ticket



Lucy Baxley

information, call (334) 727-2101.

"I am sure this special time will be full of wonderful camaraderie as fellow Democrats from the 82nd District gather and fellowship as they prepare for the

(See DEMOCRATS, P. A-3)



Photo courtesy Tuskegee University

Miss Tuskegee University

Tuskegee University officials last week announced Emilia Sykes as the 2006-2007 Miss Tuskegee University. Sykes is a junior psychology major from Akron, Ohio, who will represent the University at numerous functions. See additional picture on Page B-1.

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